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Overseeing of C.I.A. by Congress Has Produced Decade of Support

The following article is based on reporting by Stephen Engelberg and Leslie H. Gelb and was written by Mr. Gelb.

Special to The New York Times

WASHINGTON, July 6 — Despite some highly public skirmishes over the last decade, Congressional committees that oversee the Central Intelligence Agency have provided almost unbroken support for the agency and other intelligence activities, according to past and present committee members and Reagan Administration officials.

"The C.I.A. got what it wanted," said Senator Daniel Patrick Moynihan, Democrat of New York, who was vice chairman of the Senate Intelligence Committee until his eight-year membership ended two years ago.

"Like other legislative committees, ours came to be an advocate for the agency it was overseeing," Mr. Moynihan added, reflecting the views of most of his colleagues.

Questioning the Future

The Senate committee celebrated its 10th anniversary last month with some members of Congress and the Administration questioning the future of the relationship. Some were calling for the House and Senate to put together a smaller, single oversight panel while others were suggesting that the two committees should have the power to block major covert, paramilitary actions like the decision to aid the Angolan rebels.

But Administration officials and members of the committees alike expect few changes in the oversight process. The current friction, they say, belies a broader, established pattern of cooperation by Congress with the intelligence activities of the executive branch.

Over the last decade, for example, the Senate and House oversight committees have pushed through Congress a tripling of the overall intelligence budget to its present level of about $25 billion. Almost all this rise has been for intelligence collection and analysis.

Covert Actions on the Rise

The committees have also supported more than a doubling of covert actions in recent years. The sources said the number of actions rose from about a dozen or so small-scale ones at the end of the Carter Administration to some 40-odd today, many of which are described by officials as major undertakings.

The generally supportive relationship has been obscured in recent years by mutual recriminations between the legislative and executive branches over unauthorized disclosures to the press, by personality clashes, and by sharp conflicts about a handful of covert paramilitary operations.

The Administration is conducting only about five such actions: in Afghanistan, Angola, Nicaragua, Cambodia and northeast Africa. In budgetary terms, this amounts to about $500 million out of a $25 billion total. But a number of legislators and some C.I.A. officials maintain that these few programs are taking up too much of the time and energies of Administration leaders and top intelligence officials, thereby seriously distorting intelligence priorities.

Often Congressional objections focus on means rather than ends: Members of the committees, for example, have questioned the $30 million military portion of the $100 million covert aid package for the Nicaraguan rebels, or whether shoulder-fired Stinger antiaircraft weapons should go to the Angolan rebels.

But on a deeper level, they are debating the philosophy and goals that inspire President Reagan's doctrine of containing or even overthrowing Communist-backed regimes and promoting democracy in the developing world by covert means as well as overt assistance.

As Senator Dave Durenberger, the Minnesota Republican who heads the Senate Select Committee on Intelligence, put it, "For at least a generation, we're in for a series of smaller conflicts that shape our national security policy." The problem, as he sees it, is that "in some way the American public is going to be involved in that without knowing how it's being involved."

Mr. Durenberger and most of the other intelligence committee members interviewed said they felt extremely uncomfortable using the committees' secret sessions as a forum to debate broad foreign policy issues that could lead to war.

By all accounts, the committees have rarely been able to stop those few covert programs that the members thought unwise or dangerous.

One plan aborted after objections on the committee involved an Administration proposal several years ago to mount a paramilitary action against a small island country. This country had just elected a leader who proceeded to rename a central square in his capital in honor of Col. Muammar el-Qaddafi, the Libyan leader.

Another was thwarted in the early 1980's. The C.I.A. reported that Cuban squads had entered a Central American country, and, as a former committee member related, "The agency said their purpose was to band together with opponents of the Government and overthrow it." The Administration launched a paramilitary response, but legislators were able to prevail on officials to wait and see before taking further action. The C.I.A. waited, and the Cuban threat never materialized, according to legislative and Administration sources.

The Congressional Oversight: How It Developed

Until the early 1970's, the executive branch and Congress dealt with each other on a personal basis when it came to intelligence budgets and covert operations.

"I recall when we came to classfied programs, we would all look over at Richard Russell, the chairman of the Armed Services Committee, and he would say, 'I have discussed this matter with the appropriate officials and I have found everything is in order.'" recalled Senator Daniel K. Inouye, the Hawaii Democrat who was the first chairman of the Senate Select Committee on Intelligence. "But no one ever told us what was in order."

This cozy relationship came to an abrupt end under the Nixon Administration. As articles appeared alleging C.I.A. misdeeds such as assassinations or domestic spying, the sense spread through Washington that the agency was out of control, a rogue elephant. Congress quickly decided to end the era of oversight by a few individuals and begin a period of institutional oversight. Eight committees with almost 100 members were given jurisdiction over portions of intelligence.

Between unhappy legislators and disaffected C.I.A. officials, the agency's secrets started to pour into the public domain. Agency personnel and budgets were slashed. These were "the very dark ages," as John N. McMahon, who held the post of deputy director of the C.I.A. until last year, told Congress in 1982.

The symbolic height of this era was reached in 1975 when Congress, for the first time, voted openly to stop a covert paramilitary operation in Angola.

In May 1976 the Senate approved the establishment of one oversight committee, the Select Committee on Intelligence, with 15 members. "I doubt if the majority of the committee knew the whereabouts of the C.I.A. in Virginia," Mr. Inouye said. "I had never been there myself."

The next year the House followed suit, creating the Permanent Select Committee on Intelligence, with 17 members. To Mr. Inouye and others interviewed, it was a period of surprises. Most of the covert actions the committee was briefed on seemed "innocent" to Mr. Inouye. In one example he gave, the C.I.A. was passing out books illegally in the Soviet Union.

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He said he wished he never knew about some things he was told. "How would you like to know a very, very high official of a certain government was on our payroll?" he asked as a rhetorical example.

From Hostility To Cooperation

The new committees moved rapidly to establish a relationship of trust with the C.I.A. and other intelligence departments. By the late 1970's, they moved to rebuild intelligence operations that were by then generally considered to be in a shambles. And according to Mr. Inouye, after an initial period of distrust that lasted more than a year, the agency began to share with the committee its most sensitive secrets. Today all of the C.I.A.'s intelligence reports are routinely provided to the committees. Also, according to Congressional testimony, the C.I.A. briefed the committees 500 times last year in addition to formal appearances by top officials.

Mr. Moynihan saw this as a natural development. "Anyone who has followed American Government knows that an activity that wishes to prosper in the executive branch gets itself a pair of committees to look after it in the legislative branch," he said.

Some in the executive branch understood this full well. "I was looking for an advocate because we had no one beating the bushes up on the Hill for us," Mr. McMahon told a Congressional committee. "We were left without a father, so to speak, and I wanted an oversight committee much like the Joint Atomic Energy Committee, so that someone up on the Hill who understood and appreciated us could carry our message to the rest of Congress."

Mr. Inouye, among others, was concerned that cooperation would go too far. For this reason, he said, he proposed that the committee chairman serve only for two years of a committee member's eight-year term. This became the rule, Mr. Inouye said, "to get out before you got too intimate and too close."

The workload of the committees was substantial. They had to oversee the budget and activities of the C.I.A.; the National Security Agency, which deals with communications; the intelligence operations of the Federal Bureau of Investigation; the Defense Intelligence Agency, which is part of the Pentagon, and the National Reconnaissance Organization, which carries out satellite spying within the Air Force.

To keep track of these enterprises required expertise. The committees sought this in the quickest possible way, namely by hiring people who had worked in the agencies. According to legislative sources, 10 of the 14 professional staff members of the House committee have worked previously for one of the intelligence agencies. The present Senate staff director, Bernard F. McMahon, and his House counterpart, Thomas K. Latimer, both served in the C.I.A.

The role of the committees' staffs looms large, because only about one-third of the committee members generally come to meetings and take an active part in proceedings, according to the members. But by all accounts, the staff reflects the general attitude of the members.

William S. Cohen, Republican of Maine, who is to be the next chairman of the Senate committee, spoke for most of his colleagues when he said of Congressional-executive relations: "We're not looking at each other as enemies. We're on the same side, but we still maintain some degree of distance and skepticism about certain programs. Then we can go to our colleagues on the floor and we can say we've looked at this budget. As a result of that kind of approach, the intelligence agencies have done very well in their funding requests."

As Mr. Cohen and others pointed out, the problems between the branches have rarely been about budget and programs. They have mainly centered on disclosures to the press and matters of procedure.

Communication Of Secrets

Unauthorized disclosure of classified material has long been an irritant in the relationship between Congress and the intelligence agencies. Members of Congress blame officials in the Administration for using the disclosures to advance particular policies, while critics within the Administration accuse the lawmakers of doing the same.

The feuding burst into the public view several months ago when William J. Casey, the Director of Central Intelligence, released a stinging letter to Mr. Durenberger. That dispute has since largely subsided, but the relationship between Mr. Durenberger and the C.I.A. remains testy.

An equally painful point of conflict between the branches has been over when and to what level of detail the Administration should notify the committees about a covert operation. By law, the President is required to give the committees "prior notice" of covert actions. If for extraordinary reasons he fails to do so, he has to inform them "in a timely fashion."

Senator Patrick J. Leahy, Democrat of Vermont, who is the current vice chairman of the Senate panel, expressed the prevailing view on the committees. "I think we are often informed in a timely fashion and often kept informed as we go along, but not always," he said. In any event, legislative sources said, it is difficult for the committees to try to change this procedure.

Another problem raised by the legislators, who spoke on condition they not be identified, concerned escalations or changes in covert actions about which they were previously notified. Legislators said and officials acknowledged that the Administration has typically avoided calling attention to the changes on the ground that they were not significant. After a number of spats, it is now agreed that any change in the nature of a covert action is significant if it requires Presidential approval.

The committees do not have the power to disapprove covert actions. The President simply notifies the committees and dips into an existing contingency fund. If Congress wants to disapprove, it must pass specific legislation to that effect, and in the case of the program to aid the Angolan rebels, the House committee has moved to do just that.

The view expressed by a number of legislators was that the C.I.A.'s briefers often did not provide much detail about operations. "Only if you ask precisely the right question will they give you precisely the right information," one committee member said. "And even though we're given things like places, dates, money and the like, Administration goals are often vague and usually evolve."

Paramilitary Operations And Reagan's Doctrine

Covert actions range from planting an article in a foreign newspaper to provision of military equipment and on-the-spot training. According to legislative and Administration sources, the committees have backed the expansion of these activities with few exceptions.

The sources said the committees had been particularly helpful in recent years in providing the money and impetus to hire more agents at the C.I.A. and other agencies. A good many of these new agents have become involved in the management of clandestine paramilitary operations in such places as Nicaragua. There rebels known as contras are backed by the United States.

"It takes a lot of people to manage 15,000 contras, 25,000 or more Angolan rebels, some 200,000 or so Mujahedeen in Afghanistan, and odds and ends around the globe," a committee member said.

In Afghanistan, the C.I.A. was responsible for a $250 million program for delivering a variety of supplies and arms to the rebels through the Pakistani Government. The difficulties of managing this became so prodigious, according to a range of sources, that John McMahon, Mr. Casey's deputy until a year ago, began to raise serious questions. Those questions were drawn to the attention of a number of committee members and other legislators who strongly backed the program, and they forced Mr. McMahon from office, the sources said.

There have been similar questions raised about managing the Nicaraguan rebels. Recent reports have alleged that their leaders are involved in drug trafficking and money laundering and have failed to supply their own troops.

But the drain on C.I.A. manpower and the testing of management skills is only one of the problems between the branches. Committee members like Mr. Durenberger are expressing increasing concern that the committees

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are getting into basic foreign policy issues, going well beyond discussion of technical operations. "My view has always been that either you want these questions moved over to the Foreign Relations Committees, or if it's going to stay in the intelligence committees, we've got to see the Secretary of State and we have to see the policy in its larger context," Mr. Durenberger said, and most of his colleagues agreed.

These and other committee members past and present found themselves torn. On the one hand, many of them support aid for non-Communist rebels and recognize the advantages of covert actions. On the other hand, many of the same legislators said they feared that the operations and the doctrine that lies behind them are moving the United States toward risks of direct military involvement and into diplomatic quagmires. Thus, they want more public scrutiny.

Essentially, the committees have tried to walk the line between these considerations by limiting operations that they consider questionable rather than killing them. But as the fighting heats up in places such as Central America, Angola and Afghanistan, many committee members expect to revisit the issues.

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